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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,850	11/04/2003	Arild Fuldseth	243613US8X	5756
22850	7590	12/19/2007		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LAMARRE, GUY J	
			ART UNIT	PAPER NUMBER
			2112	
			NOTIFICATION DATE	DELIVERY MODE
			12/19/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
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## Office Action Summary

Application No.

10/699,850

Applicant(s)

FULDSETH ET AL.

Examiner

Guy J. Lamarre

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/4/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-57 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Election/Restriction**

\* This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I: **Independent Claim(s) 1, 37** and intervening claims, drawn to video-conferencing system, comprising: a decoder; an **encoder connected to the decoder** by a network; a packet loss detection mechanism **co-located with the decoder**, the packet loss detection mechanism configured to detect a lost packet and to transmit one of a packet loss notification message and a lost packet identification message; and one of a sustained packet loss detection mechanism co-located with one of the encoder and the packet loss detection mechanism, the sustained packet loss detection mechanism configured to receive the packet loss notification message and to inform the encoder that the packet loss notification message indicates a presence of one of a first and a second predetermined packet loss scenario, and an error concealment device co-located with the decoder and connected to the packet loss mechanism, the error concealment device configured to replace motion vector data lost from a current frame with motion vector data from a previous frame in response to the lost packet identification message.

Species II: **Independent Claim(s) 19, 39, 46, 48, 52, 56** and intervening claims, drawn to method for video-conferencing, comprising: **collecting** one of packet loss notifications and a lost packet identifier; and one of determining if the collected packet loss notifications correspond to one of a first and a second predetermined packet loss scenario, and replacing video data lost in a current frame using motion vector information from a previous frame in response to the lost packet identifier.

Species III: **Independent Claim(s) 43** and intervening claims, drawn to video-conferencing encoder, comprising: a connection to a downstream decoder; wherein the encoder is **configured to insert** an INTER or INTRA block according to one of a first and a second method, said first and second methods selected in response to a presence of a first and a second predetermined downstream decoder packet loss scenario, respectively.

Species IV: **Independent Claim(s) 45** and intervening claims, drawn to video-conferencing decoder, comprising: a **connection** to an upstream encoder; a packet loss detection mechanism **configured to detect** a lost packet and to transmit one of a packet loss notification message and a lost packet identifier; and one of a sustained packet loss detection mechanism connected to the packet loss detection mechanism and the upstream encoder, the sustained packet loss detection mechanism configured to receive the packet loss notification message and to inform the encoder that the packet loss notification message indicates a presence of one of a first and a second predetermined upstream packet loss scenario, and an error concealment device connected to the packet loss detection mechanism and configured to replace a lost motion vector with a motion vector from a previous frame.

Species V: **Independent Claim(s) 54-55, 57** and intervening claims, drawn to video-conferencing error concealment method, comprising: **decompressing** incoming packets of compressed video data; detecting a lost packet of decompressed video data; estimating a lost packet motion vector from a corresponding previous frame motion vector; compressing the estimated lost packet motion vector; resetting a residual corresponding to the lost packet motion vector to a predetermined value; compressing the reset residual; combining the compressed

Art Unit: 2112

estimated motion vector and compressed reset residual to form an estimated packet; and outputting the estimated packet.

\* Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

\* Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

\* Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

\* Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in the rejection under 35 U.S.C. 103(a) of other invention.

\* Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

Art Unit: 2112

application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

### Conclusion

\* Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

**or faxed to:** (571) 273-8300 for all formal communications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guy J. Lamarre, P.E., whose telephone number is (571) 272-3826. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques, can be reached at (571) 272-6962.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3609.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Guy J. Lamarre, P.E.  
Primary Examiner

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